IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND FOUR

-

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 22040 of 2003

-

Between:

Sri Shiva Bhaskara Food Godowns, rep by its Managing

Partner P.V.V. Satyanarayana Reddy, S/o. Bhaskara

Reddy, Ethakota (V), Ravulapalem Mandal,
E.G. District., A.P.

..... PETITIONER

AND

-

1 The District Collector East Godavari District.
Kakinada, E.G. District. A.P.,
2 The District Manger, Food Corporation of India
Kakinada
3 The Managing Director State Ware-Housing Corporation
Hyderabad, A.P.,
4 The Regional Manger State Ware-Housing Corporation,
Kakinada, Andhra Pradesh.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not clearing the dues of the rents of the petitioner to the tune of Rs.1,64,854/- after utilizing their godowns on rental basis and further non extension of their scheme even though, petitioner pits into that as illegal, arbitrary and violation of constitutional provisions and also violative of equity and natural justice and consequently, direct the respondents to pay dues of the petitioner, which is to tune of Rs. 1,64,854/- with interest forthwith and pass

Counsel for the Petitioner: MR.KRISHNA REDDY TETALA

Counsel for Respondent No.1: GP FOR CIVIL SUPPLIES

Mr. B. Anjaneyulu, S.C. for FCI for R 2

Ms. V. Meenakshi S.C. for SWC for RR 3 & 4.

The Court made the following ORDER:

Heard both sides. At their request the main writ petition is taken up for final disposal.

The learned Counsel Ms. Ch. Lakshmi Kumari representing Ms. V. Meenakshi learned standing counsel appearing on behalf of the Respondents 3 and 4 submits that the amount claimed by the petitioner i.e., Rs.1,64,854/- has already been sought to be paid through a cheque in the name of the petitioner and the same is deposited with the fourth respondent, wherefrom the petitioner can as well take the said cheque and the amount thereunder.

Accepting the said submission, no further orders are necessary. The Writ Petition is accordingly dismissed. However, it is open to the petitioner to receive the said cheque from the fourth respondent herein. No costs.

_____

B. Prakash Rao, J.

20th July, 2004

js.

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1 The District Collector East Godavari District.
Kakinada, E.G. District. A.P.,
2 The District Manger, Food Corporation of India
Kakinada
3 The Managing Director State Ware-Housing Corporation
Hyderabad, A.P.,

4 The Regional Manger State Ware-Housing Corporation,
Kakinada, Andhra Pradesh.

5 Two CCs to G.P. for Civil Supplies, High Court

Buildings, Hyderabad. (OUT)

4 2 CD copies.